

# TRANSMITTAL FOR U.S. PATENT APPLICATION UNDER 37 C.F.R. § 1.53(b)

22387 U.S. PTO 10/766965 10/766965 012904

Mail Stop Patent Application Commissioner of Patents PO Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the original patent application of:

Inventor:

Thomas J. Daley et al.

Filing Date:

January 29, 2004

For:

SYSTEM AND METHOD FOR AVOIDING TRANSACTION COSTS

ASSOCIATED WITH TRADING ORDERS

Pursuant to 37 C.F.R. § 1.213(a), Applicants respectfully request that the above-identified patent application not be published under 35 U.S.C. § 122(b). Applicants hereby certify that the invention disclosed in the above-identified application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

#### Enclosed are:

X	Specification, Claims and Abstract (56 pages)
X	Drawing(s) (9 Sheets of Formal)
_X	Combined Declaration and Power of Attorney in blank (5 pages)  Newly executed (original)
	An Assignment of the invention ( pages) is attached. A separate cover sheet ( pages) in compliance with 37 C.F.R. § 3.28 and § 3.31 is included with an Assignment recordal fee of \$40.00 pursuant to 37 C.F.R. § 1.21(h).
X	Non-Publication Request (1 page)
X	This Transmittal (2 pages)
X	Information Disclosure Statement (1 page), Form PTO-1449 (1 page) with 4 attached references
X	Certificate of Mailing
X	Return Receipt Postcard

	Verified Stateme	ent ( page)	
Appli	icant is:		
X	Large Entity		
	Small Entity		
The a	ccompanying appli	cation is:	
		Cation is.	
<u>_X</u> _	Original		<b>\</b>
	Continuation	Divisional	Continuation-In-Part

FEE CALCULATION (LARGE ENTITY)					FEE
	Number		Number Extra	Rate	<u>Basic Fee</u> \$770.00
Total Claims:	33	-20 =	13	X \$ 18.00	\$ 234.00
Independent Claims	3	- 3 =	0	X \$ 86.00	\$ 0.00
TOTAL FILING FEE = \$ 1,004.00					

X Enclosed is a check in the amount of \$1,004.00 for fees.

<u>X</u> Please charge any additional fees required by this paper to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P. Attorneys for Applicants

Samir A. Bhavsar Reg. No. 41,617

Dated: January 29, 2004

\_X\_\_ Customer No. **05073** 

Correspondence Address: 2001 Ross Avenue, Suite 600 Dallas, TX 75201-2980 Tel. 214.953.6581

Approved for use through 10/31/2002. OMB 0651-0031
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## NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

First Nar	med Inventor	Thomas J. Daley, et al.
Title SYSTEM AVOIDIT ASSOCI ORDER		M AND METHOD FOR NG TRANSACTION COSTS IATED WITH TRADING S
Atty Doc	ket Number	069547.0175

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

> BAKER BOTTS L.L.P. Attorneys for Applicants

January 29, 2004 Date

Signature

Samir A. Bhavsar Typed or printed name Reg No. 41,617

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicants may rescind this nonpublication request at any time. If applicants rescind a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicants subsequently file an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicants must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:

Thomas J. Daley et al.

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SYSTEM AND METHOD FOR AVOIDING TRANSACTION

COSTS ASSOCIATED WITH TRADING ORDERS

MAIL STOP PATENT APPLICATION Commissioner of Patents PO Box 1450 Alexandria, VA 22313-1450

Dear Sir:

## **CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that the attached Fee Transmittal Form (2 pages), a check in the amount of \$1,004.00, Nonpublication Request (1 page), Patent Application (56 pages), Formal Drawings (9 pages), Declaration and Power of Attorney in blank (5 pages), Information Disclosure Statement (1 page), Form PTO-1449 (1 page) with 4 attached references, Baker Botts return postcard (1 postcard), and this Certificate of Mailing are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 29th day of January 2004 and is addressed to the Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450.

Willie Jiles

Express Mail Receipt No. EV 324647472 US